

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

2153
PATENT APPLICATION

ATTORNEY DOCKET NO. 10003533-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lance W. Russell

Serial No.: 09/888,544

Examiner: Klinger, Scott M

Filing Date: June 25, 2001

Group Art Unit: 2153

Title: Routing Meta Data for Network File Access

COMMISSIONER FOR PATENTS

PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
() Other: _____ (fee \$ _____)

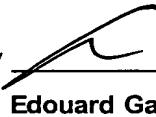
CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Lance W. Russell

By


Edouard Garcia

Attorney/Agent for Applicant(s)
Reg. No. 38,461

Date of Deposit: Jan. 5, 2005

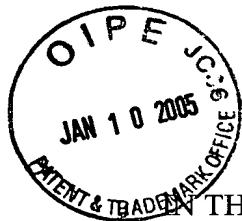
Typed Name: Edouard Garcia

Signature: 

Date: Jan. 5, 2005

Telephone No.: (650) 631-6591

- Attach as First Page to Transmitted Papers -



Attorney's Docket No.: 10003533-1

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lance W. Russell
Serial No. : 09/888,544
Filed : June 25, 2001
Title : Routing Meta Data for Network File Access

Art Unit : 2153
Examiner : Klinger, Scott M.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Examiner's action dated December 10, 2004, Applicant provisionally elects with traverse the claims of Group I (claims 1-6, 12-14, 19, and 20). However, as explained in detail below, the restriction requirement is submitted to be improper (I) because the Examiner has failed to establish a *prima facie* case for restricting the claims, and (II) because it would not be a serious burden for the Examiner to examine the entire application on the merits without the Restriction Requirement.

I. THE EXAMINER HAS FAILED TO ESTABLISH A PRIMA FACIE CASE FOR RESTRICTING THE CLAIMS

Original claims 1-20 are pending.

The Examiner is requiring restriction of the claims to one of the following claim sets: Group I (claims 1-6, 12-14, 19, and 20); and Group II (claims 7-11 and 15-18).

In support of this restriction requirement, the Examiner has asserted that:

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

January 5, 2005

Date

(Signature of person mailing papers)

Edouard Garcia

(Typed or printed name of person mailing papers)